

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

In the matter of:

**County Sanitation District No. 2
of Los Angeles County
Los Angeles**

) Stipulation for Entry of Order, (proposed)
) Order
) Nos. R4-2008-0070-M, R4-2008-0122-M, SWB-
) 2008-4-0053 & R4-2008-0109-M
) Mandatory Minimum Penalty
) for Violation of
) California Water Code
) And
) Order Nos. 95-082 & R4-2002-0142
) (NPDES No. CA0053716),
) Order Nos. 95-078, R4-2004-0099 & R4-2004-
) 0100 (NPDES No. CA0053619),
) Order No. R4-2004-0097
) (NPDES CA0053911)
) Order Nos. 95-077, R4-2002-0121 & R4-2007-
) 0048 (NPDES CA0054011)
)

I. WHEREAS:

1. This is a stipulation between the Los Angeles Regional Water Quality Control Board prosecution team (Regional Board Prosecution Team) and County Sanitation District No. 2 of Los Angeles County (Discharger or CSDLAC)(hereinafter collectively referred to as "the Parties") to resolve alleged violations of requirements contained in Regional Board Order No. 95-082 as amended by R4-2002-0142 (NPDES No. CA0053716), Regional Board Order No. 95-078, as amended by R4-2004-0099 and R4-2004-0100 (NPDES No. CA0053619), Regional Board Order No. R4-2004-0097 (NPDES CA0053911), Regional Board Order No. 95-077, as amended by R4-2002-0121 and R4-2007-0048 (NPDES CA0054011), for which the Los Angeles Regional Water Quality Control Board (Regional Board) may impose administrative civil liability under California Water Code (CWC) § 13385. The Parties intend that the terms of this stipulation become incorporated into an

Order of the Regional Board. The Stipulation and the proposed Order shall be referred to as the Stipulated Order.

2. As required by the Clean Water Act (33 U.S.C. § 1251 et seq.), the Regional Board has issued National Pollutant Discharge Elimination System (NPDES) Permits to the Discharger authorizing discharge of treated wastewater from the following wastewater treatment facilities: Los Coyotes Water Reclamation Plant, Whittier Narrows Water Reclamation Plant, San Jose Creek Water Reclamation Plant, and Pomona Water Reclamation Plant.
3. CWC § 13385(h) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each serious violation. Pursuant to CWC § 13385(h)(2) "a serious violation is defined as any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant by 20 percent or more, or for a Group I pollutant by 40 percent or more. Appendix A of Part 123.45 of Title 40 of the Code of Federal Regulations specifies the Group I and II pollutants."
4. Iron, methylene blue active substances (MBAS), total dissolved solids (TDS), chloride, ammonia nitrogen, fluoride, oil and grease, and total ammonia are Group I pollutants. Residual chlorine and copper are Group II pollutants.
5. CWC § 13385(i) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each violation whenever the Discharger violates a waste discharge requirement effluent limitation in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations within that time period.
6. A portion of the penalty not to exceed fifteen thousand dollars (\$15,000) plus fifty percent (50%) of the penalty amount that exceeds fifteen thousand dollars (\$15,000) may be directed to a Supplemental Environmental Project (SEP) pursuant to CWC § 13385(l). The SEP amount for each wastewater treatment plant was individually calculated and combined into a single contribution towards a single SEP.
7. The maximum amount of administrative civil liability assessable pursuant to CWC § 13385(c) is \$10,000 per day of violation plus \$10 times the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons.
8. A total of one hundred fifteen (115) violations of the Orders were determined from the Discharger's self-monitoring reports for four different facilities. All one hundred fifteen (115) were effluent violations for copper, residual

chlorine, ammonia nitrogen, total ammonia, methylene blue active substances (MBAS), temperature, oil and grease (O&G), fluoride, chloride, total dissolved solids (TDS), and iron during the February 2000 through April 2010 monthly monitoring periods. The violations are identified in Table 1 attached hereto and incorporated herein by reference.

9. Los Coyotes Water Reclamation Plant resolves Settlement Offer No. R4-2008-0070-M in the adjusted total liability amount of \$120,000 for forty-two (42) violations of Order Nos. 95-077, R4-2002-0121, and R4-2007-0048. The adjusted civil liability includes an initial liability amount of \$52,500 and a suspended administrative civil liability in the amount of \$67,500 pending the completion of a SEP.
10. Whittier Narrows Water Reclamation Plant resolves Settlement Offer No. R4-2008-0109-M in the adjusted total liability amount of \$24,000 for nine (9) violations of Order Nos. 95-082 and R4-2002-0142. The adjusted civil liability includes an initial liability amount of \$4,500 and a suspended administrative civil liability in the amount of \$19,500 pending the completion of a SEP.
11. San Jose Creek Water Reclamation Plant resolves Settlement Offer No. SWB-2008-4-0053 in the adjusted total liability amount of \$132,000 for forty-four (44) violations of Order No. R4-2004-0097. The adjusted civil liability includes an initial liability amount of \$58,500 and a suspended administrative civil liability in the amount of \$73,500 pending the completion of a SEP.
12. Pomona Water Reclamation Plant resolves Settlement Offer No. R4-2008-0122-M in the adjusted total liability amount of \$36,000 for twenty (20) violations of Order Nos. 95-078, R4-2004-0099 and R4-2004-0100. The adjusted civil liability includes an initial liability amount of \$10,500 and a suspended administrative civil liability in the amount of \$25,500 pending the completion of a SEP.
13. The Parties have agreed to settle this matter without hearing pursuant to the terms in this Stipulated Order. The Parties enter into this Stipulated Order pursuant to a compromise and settlement of the allegations. The Parties believe that the resolution embodied in this Stipulated Order is fair and reasonable and in the best interests of the public.

II. THE PARTIES AGREE AND STIPULATE TO THE FOLLOWING:

1. DEFINITIONS

"Cleanup and Abatement Account" – the State Water Pollution Cleanup and Abatement Account.

"Designated Water Board Representative" – the representative from the Los Angeles Water Board responsible for oversight of the supplemental environmental project (SEP). This person is Ms. Pansy Yuen.

"Implementing Party" – an independent third party with whom the Discharger has contracted with or otherwise engaged to implement the SEP. The Implementing Party is the Southern California Coastal Water Research Project (SCCWRP).

"Milestone Requirement" – a requirement with an established time schedule for meeting/ascertaining certain identified measurements of completed work. Upon the timely and successful completion of each milestone requirement, an amount of liability will be permanently suspended or excused as set forth in the description of the SEP below.

"SEP Completion Date" – the date in which the SEP will be completed in its entirety.

2. ADMINISTRATIVE CIVIL LIABILITY

a. Total Administrative Civil Liability

The Discharger shall be subject to administrative civil liability in the total amount of \$312,000. The civil liability includes an initial liability payment of \$126,000 and a suspended administrative civil liability amount of \$186,000 pending the completion of a Supplemental Environmental Project (SEP). The cost of the SEP to the Discharger in the amount of \$186,000 will be referred to as the SEP Amount.

b. Payment and Costs

The Discharger shall pay \$126,000 to the State Water Pollution Cleanup and Abatement Account and reference the "Stipulated Order Nos. R4-2008-0070-M, R4-2008-0122-M, SWB-2008-4-0053 & R4-2008-0109-M". The initial liability payment shall be made within 30 days of the Discharger's receipt of the Stipulated Order executed on behalf of the Regional Board. Payment shall be made by check payable to the "State Water Pollution Cleanup and Abatement Account". In addition to payment of the administrative civil liability in accordance with section (II) paragraph (2a) above, the Discharger shall pay the Regional Board staff costs incurred for overseeing the implementation of the SEP (Oversight Costs). The payment of Regional Board staff costs incurred for overseeing the implementation of the SEP is addressed in section (II) paragraph (6) below.

Payment shall be submitted to the Regional Board at the following address:

Ms. Pansy Yuen
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013
(213) 620-6367
pyuen@waterboards.ca.gov

c. Funding of Supplemental Environmental Projects

In lieu of the payment of additional administrative civil liability of \$186,000, the Discharger agrees to fund the SEP, Phases I and II of the Assessment of Endocrine Disruption in Southern California Coastal Fish Supplemental Environmental Project, as described further in section (II) paragraph (3) below.

3. DESCRIPTION OF THE SEP

The Discharger will contribute the SEP Amount to the Southern California Coastal Water Research Project, (the Implementing Party), within 30 days of receipt of the Stipulated Order executed on behalf of the Regional Board, to assist with Phase I and Phase II of the Assessment of Endocrine Disruption in Southern California Coastal Fish SEP (Coastal Fish SEP Program). The Coastal Fish SEP Program monitors fish inhabiting southern California's nearshore coastal environment between Ventura and San Diego County affected by permitted water discharges such as those from the Discharger.

The Coastal Fish SEP Program has a nexus with the alleged violations because it serves to identify biological indicators that can be used to detect exposure of fish to wastewater effluent in receiving waters.

The Scope of Work, Schedule for Performance, and Milestones for the SEP portion of the Coastal Fish SEP Program and additional details can be found in the attached SEP Workplan, Budget and Coastal Fish SEP Program Plan (Appendix "C") which is incorporated in and part of this Stipulated Order (the Project).

Compliance with the timetable for project implementation is a requirement of this Order.

4. REPRESENTATIONS AND AGREEMENTS REGARDINGS SEPS

a. Representation of the Implementing Party

As a material consideration for the Regional Board's acceptance of this Stipulated Order, the Implementing Party represents that it will: (1) utilize the funds provided to it by the Discharger to implement the SEP in accordance with the Schedule for Performance set forth in the Stipulated Order; and (2) provide certified, written reports to the Regional Board and the Discharger consistent with the terms of this Stipulated Order detailing the implementation of the SEP. The Implementing Party understands that its promise to implement the SEP, in its entirety and in accordance with the Schedule for Performance, is a material condition of this settlement of liability between the Discharger and the Regional Board. The Implementing Party agrees that the Regional Board has the right to require the Implementing Party to implement the SEP in accordance with the terms of this Stipulated Order if it has received the SEP Amount for that purpose from the Discharger. The Implementing Party agrees to submit to the jurisdiction of the Regional Board to enforce the terms of this Stipulated Order and the implementation of the SEP.

b. Agreement of Third-Party to Accept SEP Funds and Implement SEP

Each Implementing Party shall provide a written representation to the Regional Board that the recipient will 1) spend the SEP payment as described in the Stipulated Order; and 2) provide a certified, written report to the Regional Board consistent with the terms of this Stipulated Order detailing the implementation of the SEP. The written representations are attached hereto as Appendix "B". The Implementing Party agrees that the Regional Board has the right to require an audit of the funds provided to it by the Discharger and expended by it to implement the SEP.

5. PUBLICITY

Whenever the Discharger or its agents or subcontractors or the Implementing Party publicizes one or more elements of the SEP, they shall state in a **prominent manner** that the project is being undertaken as part of the settlement of an enforcement action by the Regional Board against the Discharger.

6. REGIONAL BOARD OVERSIGHT COSTS

The Discharger shall pay \$12,000 in addition to the administrative civil liability to the State Water Pollution Cleanup and Abatement Account to cover the Regional Board's estimated costs of overseeing the implementation of the SEP.

7. SUBMITTAL OF PROGRESS REPORTS

The Discharger and/or the Implementing Party shall provide quarterly reports of progress to the Designated Water Board Representative and the Division of Financial Assistance at the State Water Resources Control Board according to the schedule below. The quarterly reports shall include a list of all activities on the SEP since its adoption, all SEP activities during the quarter, an accounting of funds expended, and the proposed work for the following quarter. The first report is due on the on the 1st day of the second month of the quarter after the project commences.

Reporting Period

January – March

April – June

July – September

October – December

Report Due Date

May 1

August 1

November 1

February 1

8. SITE INSPECTIONS

The Discharger and/or the Implementing Party shall permit inspection of the Coastal Fish SEP Project by the Regional Board staff and the Discharger at any time without notice during normal business hours.

9. AUDITS AND CERTIFICATION OF ENVIRONMENTAL PROJECT

A. Certification of Completion

Within 30 days of completion of the SEP, the Discharger shall submit a certified statement of completion of the SEP (Certification of Completion). A responsible corporate official representing the Discharger shall submit the Certification of Completion under penalty of perjury, to:

Ms. Pansy Yuen

Los Angeles Regional Water Quality Control Board

320 West 4th Street, Suite 200

Los Angeles, CA 90013

(213) 620-6367

pyuen@waterboards.ca.gov

the Designated Regional Water Board Representative.

And to:

SEP Reporting
C/O Toru Okamoto
Division of Financial Assistance
State Water Resources Control Board
1001 I Street, 17th Floor
Sacramento, CA 94244

the State Water Resources Control Board's Division of Financial Assistance.

The Certification of Completion shall include following:

a. Certification of Expenditures

Certification documenting all expenditures by the Discharger and/or the Implementing Party during the completion period for the SEP. For the Discharger, the expenditures may be limited to documentation of payment of the SEP Amount to the Implementing Party. For the Implementing Party, the expenditures may include external payments to outside vendors or contractors implementing the SEP. If applicable, the expenditures may include the costs of internal Environmental Management resources and internal Business Unit resources, provided that such expenditures are directly related to development and implementation of the SEP. In making such certification, the official may rely upon normal company project tracking systems that capture employee time expenditures and external payments to outside vendors such as environmental and information technology contractors or consultants. The Discharger and/or Implementing Party shall provide any additional information requested by the Regional Board staff which is reasonably necessary to verify the Discharger's and/or Implementing Party's SEP expenditures. The certification need not address any costs incurred by the Regional Board for oversight.

b. Certification of Performance of Work

Certification that the SEP has been completed in accordance with the terms of this Stipulated Order. The Discharger and/or the Implementing Party shall submit a report, submitted under penalty of perjury, stating that the SEP has been completed in accordance with the terms of this Stipulated Order. Such documentation may include photographs, invoices, receipts, certifications, and other materials reasonably necessary for the Regional Board to evaluate

the completion of the SEP and the costs incurred by the Discharger and/or Implementation Party.

c. Certification that Work Performed on the SEP Met or Exceeded Requirements of CEQA and other Environmental Laws [Where Applicable]

Certification that the SEP meets or exceeds the requirements of CEQA and or other environmental laws. Unless the Implementing Party is exempted from compliance with CEQA, the Discharger and/or the Implementing Party shall, before the SEP implementation date, consult with other interested State Agencies regarding potential impacts of the SEP. Other interested State Agencies include, but are not limited to, the California Department of Fish and Game. To ensure compliance with CEQA where necessary, the Discharger and/or the Implementing Party shall submit documentation, if necessary, under penalty of perjury, stating that the SEP meets or exceeds the applicable requirements of CEQA and or other environmental laws to the Regional Board with the following documents from the lead agency:

- i) Categorical or statutory exemptions;
- ii) Negative Declaration if there are no "significant" impacts;
- iii) Mitigated Negative Declaration if there are potential "significant" impacts but revisions to the project have been made or may be made to avoid or mitigate those potential significant impacts;
- iv) Environmental Impact Report (EIR) if there are "significant" impacts.

d. Third Party Audit

In addition to the certification, within 90 days of the completion of the SEP and at the discretion of the Designated Regional Board Representative which shall be exercised only for cause in consideration of the Discharger's payment in full of the SEP Amount and the nature of the Implementing Party as a government entity, the Designated Regional Board Representative, may require, and the Discharger shall submit, at its sole cost, a report prepared by an independent third party(ies) acceptable to the Regional Board staff providing such party(ies)'s professional opinion that the Discharger and/or the Implementing Party has expended money in the amounts claimed by the Discharger and/or the Implementing Party. In the event of such an audit, the Discharger and the Implementing Party agree that they will provide the third-party auditor with access to all documents which the auditor requests. Such information shall be provided to the Designated Regional

Board Representative within three (3) months of the completion of the Settling Respondent's SEP obligations for audit by the Designated Regional Board Representative. The audit need not address any costs incurred by the Regional Board for oversight.

10. REGIONAL BOARD ACCEPTANCE OF COMPLETED SEP

Upon the Discharger's satisfaction of its obligations under this Stipulated Order, the completion of the SEP and any audits, the Designated Water Board Representative, with notice to the regional Enforcement Coordinator, shall request that the Regional Board or the Regional Board's Delegee issue a "Satisfaction of Order". The issuance of the Satisfaction of Order shall terminate any further obligations of the Settling the Discharger and/or the Implementing Party under this Stipulated Order.

11. FAILURE TO EXPEND ALL SUSPENDED ADMINISTRATIVE CIVIL LIABILITY FUNDS ON THE APPROVED SEP

In the event that the Discharger or the Implementation Party is not able to demonstrate to the reasonable satisfaction of the Regional Board staff that the entire SEP Amount was spent for the completed SEP, the Discharger shall pay the difference between the Suspended Administrative Civil Liability and the amount the Discharger or the Implementation Party can demonstrate was actually spent on the SEP, as an administrative civil liability.

12. FAILURE TO COMPLETE THE SEP

If the SEP is not fully implemented within the SEP Completion Period required by this Stipulated Order or there has been a material failure to satisfy a Milestone Requirement, the Designated Water Board Representative shall issue a Notice of Violation. As a consequence, Discharger shall be liable to pay the entire Suspended Liability or some portion thereof less the value of any adequately completed SEP requirements. The amount of the liability owed shall be determined by the Executive Officer, or the Executive Officer's delegee. Upon notification of the amount assessed for failure to meet any requirements for implementing the SEP, the amount assessed shall be paid to the State Water Pollution Cleanup and Abatement Account within 30 days of the date of the notification. In addition, the Discharger shall be liable for the Regional Board's reasonable costs of enforcement, including but not limited to legal costs and expert witness fees which will be added to the amount assessed. Payment of the total demanded amount (suspended penalty and costs) will satisfy the Discharger's further obligations to implement the SEP.

13. REGIONAL BOARD IS NOT LIABLE

Neither the Regional Board members nor the Regional Board staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from acts or omissions by the Discharger (or the Implementing Party where applicable) its directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulated Order, nor shall the Regional Board, its members or staff be held as parties to or guarantors of any contract entered into by the Discharger, its directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulated Order.

14. COVENANT NOT TO SUE

The Discharger and the Implementing Party covenant not to sue or pursue any administrative or civil claim or claims against the Regional Board, the State Water Resources Control Board, any State Agency or the State of California, or their officers, employees, representatives, agents, or attorneys arising out of or relating to any matter expressly addressed by the this Stipulated Order or the SEP.

15. NO THIRD PARTY BENEFITS

Nothing in this Stipulated Order shall be deemed to create any rights in favor of, or to inure to the benefit of, any persons who are not a signatory to this Stipulation (third party), or to waive or release any defense or limitation against third party claims.

16. NOTICE

All submissions and notices required by this Stipulated Order shall be sent to:

For the Regional Board:

Ms. Paula Rasmussen
Los Angeles Regional Water Quality Control Board
320 West Fourth Street, Suite 200
Los Angeles, CA 90013

For the Discharger:

Mr. Stephen R. Maguin
Chief Engineer and General Manager
Sanitation Districts of Los Angeles County
1955 Workman Mill Road
Whittier, CA 90607-4998

For the Implementing Party:

Mr. Stephen B. Weisberg
Executive Director
Southern California Coastal Water Research Project
3535 Harbor Blvd., Suite 110
Costa Mesa, CA 92626

Any Party may change its notice name and address by informing the other Party in writing, but no change is effective until it is received. All notices and other communications required or permitted under this Consent Judgment that are properly addressed as provided in this Paragraph are effective upon delivery if delivered personally or by overnight mail, or are effective five (5) days following deposit in the United States mail, postage prepaid, if delivered by mail.

17. AUTHORITY OF EXECUTIVE DIRECTOR TO EXTEND DUE DATES

The Executive Officer may extend any of the due dates in this Stipulated Order upon the joint request of the Parties. Such extensions must be in writing.

18. EFFECTIVE DATE OF ORDER

The Effective Date of this Stipulated Order shall be the date on which it is executed on behalf of the Regional Board.

19. RESOLUTION OF VIOLATIONS

This Stipulated Order relates only to administrative civil liability for violations that were expressly alleged in Table 1. The Regional Board and its Executive Officer reserve all rights to take additional enforcement actions, including without limitation the issuance of administrative civil liability complaints or the orders for violations not expressly identified in Table 1.

20. INTEGRATION

This Stipulated Order constitutes the entire agreement between the Parties and may not be amended or supplemented except as provided for in the Stipulated Order.

21. PUBLIC COMMENT PERIOD

The Discharger understands that this Stipulation and the Order must be noticed for a 30-day public review and comment period prior to consideration by the Regional Board. In the event objections are raised during the public comment period for this Stipulation and the Order, the Regional Board may, under certain circumstances, require a public hearing regarding the Order. In that event, the Parties agree to meet and

confer concerning any such objections, and may agree to revise or adjust the Stipulation as necessary or advisable under the circumstances.

22. IF THE STIPULATED ORDER DOES NOT TAKE EFFECT

In the event that this Stipulated Order does not take effect because it is not executed by the Regional Board, or vacated in whole or in part by the State Water Resources Control Board or a court, the Parties acknowledge that they expect to proceed to a contested evidentiary hearing before the Regional Board to determine whether to assess administrative civil liabilities for the underlying alleged violations, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. The Parties also agree to waive any and all objections related to their efforts to settle this matter, including, but not limited to:

1) objections related to prejudice or bias of any of the Regional Board members or their advisors and any other objections that are premised in whole or in part on the fact that the Regional Board members or their advisors were exposed to some of the material facts and the Parties' settlement positions, and therefore may have formed impressions or conclusions, prior to conducting any contested evidentiary hearing on the alleged violations in this matter; or

2) laches or delay or other equitable defenses based on the time period that the order or decision by settlement may be subject to administrative or judicial review.

23. AUTHORITY TO ENTER INTO STIPULATED ORDER

Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to execute this Order on behalf of and to bind the entity on whose behalf he or she executes the Order.

24. INTERPRETATION

This Stipulated Order shall not be construed against the party preparing it, but shall be construed as if the Parties jointly prepared it and any uncertainty and ambiguity shall not be interpreted against any one party.

25. NO ORAL MODIFICATION


This Stipulated Order shall not be modified by any of the Parties by oral representation made before or after the execution of this Order. All modifications must be made in writing and approved by the Executive Officer of the Regional Board.

26. COUNTERPART SIGNATURES

This Stipulated Order may be executed by the parties and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document. The Parties, after opportunity for review by counsel, hereby stipulate and consent to the entry of an Order incorporating the terms herein.

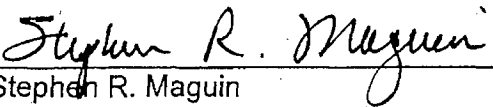
IT IS SO STIPULATED:

**California Regional Water Quality Control Board,
Los Angeles Region Prosecution Team**

By: 
Ms. Paula Rasmussen, Chief
Compliance and Enforcement Section

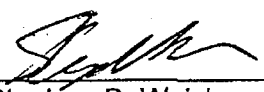
11-28-11
Date

County Sanitation District No. 2 of Los Angeles County

By: 
Mr. Stephen R. Maguin
Chief Engineer and General Manager

11-17-11
Date

Southern California Coastal Water Research Project

By: 
Mr. Stephen B. Weisberg
Executive Director

11/15/11
Date

IT IS HEREBY ORDERED:

HAVING CONSIDERED THE ALLEGATIONS DESCRIBED ABOVE AND THE PARTIES' STIPULATIONS, THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD, BY AND THROUGH ITS EXECUTIVE OFFICER, FINDS THAT:

1. Issuance of this Stipulated Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.), in accordance with sections 15061(b)(3) and 15321(a)(2), of Title 14 of the California Code of Regulations.
2. The foregoing Stipulation is incorporated into this Order.
3. In the event that the Discharger fails to comply with the requirements of this Order on Settlement Offers Nos. R4-2008-0070-M, R4-2008-0109-M, SWB-2008-4-0053, and R4-2008-0122, the Executive Officer is authorized to refer this matter to the Office of Attorney General for enforcement.

IT IS SO ORDERED, pursuant to section 13385 of the California Water Code and section 11415.60 of the California Government Code.

Samuel Unger
Executive Officer
Los Angeles Regional Water Quality Control Board

Date

Table 1 - Violation Summary

CSDLAC
Los Coyotes WRP
Pomona WRP
Whittier Narrows WRP
San Jose Creek WRP

Date	Monitoring Period	Discharge Point	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
<i>Los Coyotes Water Reclamation Plant</i>												
01/30/02	January 2002	1	30-Day Average	Iron	350	300	ug/L	1	17%	Chronic	(i)1	\$0
08/31/02	August 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/01/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.9	0.1	mg/L	2	800%	Serious	(h)1	\$3,000
09/02/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000
09/03/02	September 2002	1	Daily Maximum	Residual Chlorine ²	2.7	0.1	mg/L	2	2600%	Serious	(h)1	\$3,000
09/04/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1.3	0.1	mg/L	2	1200%	Serious	(h)1	\$3,000
09/05/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.6	0.1	mg/L	2	500%	Serious	(h)1	\$3,000
09/06/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1.2	0.1	mg/L	2	1100%	Serious	(h)1	\$3,000
09/07/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/08/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/09/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1.8	0.1	mg/L	2	1700%	Serious	(h)1	\$3,000
09/10/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1	0.1	mg/L	2	900%	Serious	(h)1	\$3,000
09/11/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.6	0.1	mg/L	2	500%	Serious	(h)1	\$3,000
09/12/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000
09/13/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1.4	0.1	mg/L	2	1300%	Serious	(h)1	\$3,000
09/14/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/15/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000
09/16/02	September 2002	1	Daily Maximum	Residual Chlorine ²	3	0.1	mg/L	2	2900%	Serious	(h)1	\$3,000
09/17/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000
09/18/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000
09/19/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/20/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.9	0.1	mg/L	2	800%	Serious	(h)1	\$3,000
09/21/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.9	0.1	mg/L	2	800%	Serious	(h)1	\$3,000
09/22/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1	0.1	mg/L	2	900%	Serious	(h)1	\$3,000
09/23/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.9	0.1	mg/L	2	800%	Serious	(h)1	\$3,000
09/24/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/25/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.5	0.1	mg/L	2	400%	Serious	(h)1	\$3,000
09/26/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
09/27/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000

Table 1 - Violation Summary

CSDLAC
Los Coyotes WRP
Pomona WRP
Whittier Narrows WRP
San Jose Creek WRP

Date	Monitoring Period	Discharge Point	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
09/28/02	September 2002	1	Daily Maximum	Residual Chlorine ²	1	0.1	mg/L	2	900%	Serious	(h)1	\$3,000
09/29/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.8	0.1	mg/L	2	700%	Serious	(h)1	\$3,000
09/30/02	September 2002	1	Daily Maximum	Residual Chlorine ²	0.5	0.1	mg/L	2	400%	Serious	(h)1	\$3,000
10/01/02	October 2002	1	Daily Maximum	Residual Chlorine ²	1.2	0.1	mg/L	2	1100%	Serious	(h)1	\$3,000
10/02/02	October 2002	1	Daily Maximum	Residual Chlorine ²	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
11/11/02	November 2002	1	Daily Maximum	Residual Chlorine ²	0.9	0.1	mg/L	2	800%	Serious	(h)1	\$3,000
11/17/02	November 2002	1	Daily Maximum	Residual Chlorine ³ (4min)	0.7	0.1	mg/L	2	600%	Serious	(h)1	\$3,000
01/28/03	January 2003	1	Daily Maximum	Residual Chlorine ³ (7min)	0.5	0.1	mg/L	2	400%	Serious	(h)1	\$3,000
08/22/03	August 2003	1	Daily Maximum	Residual Chlorine ³ (6min)	0.5	0.1	mg/L	2	400%	Serious	(h)1	\$3,000
03/14/06	March 2006	1	Daily Maximum	Residual Chlorine ³ (25min)	3.25	0.1	mg/L	2	3150%	Serious	(h)1	\$3,000
04/06/06	April 2006	1	Daily Maximum	Residual Chlorine ³ (30min)	3.5	0.1	mg/L	2	3400%	Serious	(h)1	\$3,000
12/15/08	December 2008	1	Daily Maximum	Residual Chlorine	0.4	0.3	mg/L	2	33%	Serious	(h)1	\$3,000
04/02/10	April 2010	1	Daily Maximum	Copper	32.5	28	ug/L	2	16%	Chronic	(i)1	\$0
										Subtotal		\$120,000

Pomona Water Reclamation Plant

03/27/00	March 2000	1	Daily Maximum	MBAS	0.62	0.5	mg/L	1	24%	Chronic	(i)1	\$0
06/21/00	June 2000	1	Daily Maximum	MBAS	0.74	0.5	mg/L	1	48%	Serious	(h)1	\$3,000
08/09/00	August 2000	1	Daily Maximum	TDS	766	750	mg/L	1	2%	Chronic	(i)1	\$0
09/04/00	September 2000	1	Daily Maximum	MBAS	0.84	0.5	mg/L	1	68%	Serious	(h)1	\$3,000
12/18/00	December 2000	1	Daily Maximum	MBAS	0.8	0.5	mg/L	1	60%	Serious	(h)1	\$3,000
01/23/01	January 2001	1	Daily Maximum	MBAS	0.95	0.5	mg/L	1	90%	Serious	(h)1	\$3,000
11/05/01	November 2001	1	Daily Maximum	MBAS	0.8	0.5	mg/L	1	60%	Serious	(h)1	\$3,000
12/19/01	December 2001	1	Daily Maximum	Chloride	211	180	mg/L	1	17%	Chronic	(i)1	\$0
09/21/04	September 2004	1	Daily Maximum	Residual Chlorine	>0.3	0.1	mg/L	2	200%	Serious	(h)1	\$3,000
12/16/04	December 2004	1	Monthly Average	Ammonia Nitrogen ¹	1.85	1.24	mg/L	1	49%	Serious	(h)1	\$3,000
01/18/05	January 2005	1	Daily Maximum	Ammonia Nitrogen	1.5	0.94	mg/L	1	60%	Serious	(h)1	\$3,000
03/30/05	March 2005	1	Monthly Average	Ammonia Nitrogen ¹	1.73	1.53	mg/L	1	13%	Chronic	(i)1	\$0
04/30/05	April 2005	1	Monthly Average	Ammonia Nitrogen ¹	1.92	1.43	mg/L	1	34%	Chronic	(i)1	\$3,000
05/17/05	May 2005	1	Daily Maximum	Ammonia Nitrogen	2.45	1.72	mg/L	1	42%	Serious	(h)1	\$3,000

Date	Monitoring Period	Discharge Point	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
05/31/05	May 2005	1	Monthly Average	Ammonia Nitrogen	1.77	0.66	mg/L	1	168%	Serious	(h)1	\$3,000
10/31/05	October 2005	1	Monthly Average	Ammonia Nitrogen	1.29	1.16	mg/L	1	11%	Chronic	(i)1	\$0
03/31/06	March 2006	1	Monthly Average	Ammonia Nitrogen	1.18	1	mg/L	1	18%	Chronic	(i)1	\$0
11/27/07	November 2007	1	Daily Maximum	Ammonia Nitrogen	1.76	1.54	mg/L	1	14%	Chronic	(i)1	\$0
11/30/07	November 2007	1	Monthly Average	Ammonia Nitrogen	1.57	1.04	mg/L	1	51%	Serious	(h)1	\$3,000
03/31/08	March 2008	1	Monthly Average	Ammonia Nitrogen	1.33	1.27	mg/L	1	5%	Chronic	(i)1	\$0
Subtotal												\$36,000
<i>Whittier Narrows Water Reclamation Plant</i>												
02/24/03	February 2003	1	Daily Maximum	Residual Chlorine (6 min)	0.49	0.1	mg/L	2	390%	Serious	(h)1	\$3,000
08/22/03	August 2003	1	Daily Maximum	Residual Chlorine (2 min)	0.43	0.1	mg/L	2	330%	Serious	(h)1	\$3,000
09/22/03	September 2003	1	Daily Maximum	Residual Chlorine (2 min)	0.47	0.1	mg/L	2	370%	Serious	(h)1	\$3,000
11/26/03	November 2003	1	Daily Maximum	Residual Chlorine (2.25 min)	0.64	0.1	mg/L	2	540%	Serious	(h)1	\$3,000
02/24/04	February 2004	1	Daily Maximum	Residual Chlorine (2 min)	0.72	0.1	mg/L	2	620%	Serious	(h)1	\$3,000
01/14/05	January 2005	1	Daily Maximum	Residual Chlorine (4 min)	0.69	0.1	mg/L	2	590%	Serious	(h)1	\$3,000
05/31/06	May 2006	1	Monthly Average	Chloride	190	180	mg/L	1	6%	Chronic	(i)1	\$0
09/09/06	September 2006	1	Daily Maximum	Residual Chlorine (11 min)	2.12	0.1	mg/L	2	2020%	Serious	(h)1	\$3,000
10/27/08	October 2008	1	Monthly Average	Fluoride	3.23	1.6	mg/L	1	102%	Serious	(h)1	\$3,000
Subtotal												\$24,000
<i>San Jose Creek Water Reclamation Plant</i>												
02/22/00	February 2000	East	Daily Maximum	MBAS	0.7	0.5	mg/L	1	40%	Serious	(h)1	\$3,000
04/24/00	April 2000	East	Daily Maximum	MBAS	1.2	0.5	mg/L	1	140%	Serious	(h)1	\$3,000
05/07/00	May 2000	East	Daily Maximum	MBAS	1	0.5	mg/L	1	100%	Serious	(h)1	\$3,000
07/10/00	July 2000	East	Daily Maximum	MBAS	0.58	0.5	mg/L	1	16%	Chronic	(i)1	\$3,000
09/11/00	September 2000	East	Daily Maximum	MBAS	0.59	0.5	mg/L	1	18%	Chronic	(i)1	\$3,000
10/02/00	October 2000	East	Daily Maximum	MBAS	0.74	0.5	mg/L	1	48%	Serious	(h)1	\$3,000
11/14/00	November 2000	East	Daily Maximum	MBAS	0.64	0.5	mg/L	1	28%	Chronic	(i)1	\$3,000
02/04/02	February 2002	East	Daily Maximum	MBAS	0.8	0.5	mg/L	1	60%	Serious	(h)1	\$3,000
05/31/03	May 2003	East	Monthly Average	Oil & Grease	20.8	10	mg/L	1	108%	Serious	(h)1	\$3,000
05/31/03	May 2003	East	Monthly Average	Oil & Grease	91.66	5213	lbs/day	1	76%	Serious	(h)1	\$3,000

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Date	Monitoring Period	Discharge Point	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
10/20/04	October 2004	3	Daily Maximum	Residual Chlorine (8 min)	0.5	0.1	mg/L	2	400%	Serious	(h)1	\$3,000
10/21/04	October 2004	1	Daily Maximum	Residual Chlorine (112 min)	0.9	0.1	mg/L	2	800%	Serious	(h)1	\$3,000
10/31/04	October 2004	1	Daily Maximum	Total Ammonia (as N)	2.2	0.91	mg/L	1	142%	Serious	(h)1	\$3,000
10/31/04	October 2004	1	Monthly Average	Total Ammonia (as N)	1.86	1.83	mg/L	1	2%	Chronic	(i)1	\$3,000
11/13/04	November 2004	2	Daily Maximum	Total Ammonia (as N)	1.7	1.1	mg/L	1	55%	Serious	(h)1	\$3,000
11/14/04	November 2004	2	Daily Maximum	Total Ammonia (as N)	1.5	1.4	mg/L	1	7%	Chronic	(i)1	\$3,000
01/23/05	January 2005	2	Daily Maximum	Residual Chlorine (3 min)	0.53	0.1	mg/L	2	430%	Serious	(h)1	\$3,000
01/31/05	January 2005	2	Monthly Average	Total Ammonia (as N)	2	1.83	mg/L	1	9%	Chronic	(i)1	\$3,000
04/11/05	April 2005	1	Daily Maximum	Residual Chlorine (102 min)	0.25	0.1	mg/L	2	150%	Serious	(h)1	\$3,000
09/28/05	September 2005	2	Daily Maximum	Total Ammonia (as N)	1.9	1.3	mg/L	1	46%	Serious	(h)1	\$3,000
10/03/05	October 2005	2	Daily Maximum	Residual Chlorine (3 min)	0.47	0.1	mg/L	2	370%	Serious	(h)1	\$3,000
10/04/05	October 2005	2	Daily Maximum	Residual Chlorine (34 min)	3.7	0.1	mg/L	2	3600%	Serious	(h)1	\$3,000
12/22/05	December 2005	1	Daily Maximum	Residual Chlorine (18 min)	1.7	0.3	mg/L	2	467%	Serious	(h)1	\$3,000
01/17/06	January 2006	3	Daily Maximum	Residual Chlorine (41 min)	0.5	0.1	mg/L	2	400%	Serious	(h)1	\$3,000
03/15/06	March 2006	2	Daily Maximum	Residual Chlorine (3 min)	0.367	0.1	mg/L	2	267%	Serious	(h)1	\$3,000
04/01/06	April 2006	2	Daily Maximum	Residual Chlorine (2 min)	>0.3	0.1	mg/L	2	200%	Serious	(h)1	\$3,000
05/03/06	May 2006	2	Daily Maximum	Residual Chlorine (2 min)	>0.3	0.1	mg/L	2	200%	Serious	(h)1	\$3,000
08/02/06	August 2006	2	Daily Maximum	Residual Chlorine (6.5 min)	2.09	0.1	mg/L	2	1990%	Serious	(h)1	\$3,000
08/17/06	August 2006	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000
08/28/06	August 2006	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000
09/03/06	September 2006	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000
09/10/06	September 2006	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000
12/31/06	December 2006	2	Monthly Average	Chloride	231	180	mg/L	1	28%	Chronic	(i)1	\$3,000
02/27/07	February 2007	2	Daily Maximum	Residual Chlorine (2 min)	0.4	0.1	mg/L	2	300%	Serious	(h)1	\$3,000
06/19/07	June 2007	2	Daily Maximum	Oil & Grease	43.6	15	mg/L	1	191%	Serious	(h)1	\$3,000
06/19/07	June 2007	2	Daily Maximum	Oil & Grease	11,472	5230	mg/L	1	119%	Serious	(h)1	\$3,000
06/30/07	June 2007	2	Monthly Average	Oil & Grease	11,472	5230	mg/L	1	119%	Serious	(h)1	\$3,000
06/30/07	June 2007	2	Monthly Average	Oil & Grease	43.6	10	mg/L	1	336%	Serious	(h)1	\$3,000
06/30/07	June 2007	1	Monthly Average	Oil & Grease	17.78	10	mg/L	1	78%	Serious	(h)1	\$3,000
07/22/07	July 2007	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000

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Date	Monitoring Period	Discharge Point	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
07/31/07	July 2007	1a	Monthly Average	Total Ammonia (as N)	1.15	0.66	mg/L	1	74%	Serious	(h)1	\$3,000
09/03/07	September 2007	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000
9/4/2007	September 2007	2	Instantaneous Max	Temperature	87	86	°F	OEVI	NA	Chronic	(i)1	\$3,000
9/30/2008	September 2008	2	Monthly Average	Total Ammonia (as N)	1.32	0.44	mg/L	1	200%	Serious	(h)1	\$3,000
Subtotal												\$132,000
Total												\$312,000

¹Staff Calculated

²Total Residual Chlorine concentration of up to 0.3 mg/L, at the point in treatment train immediately following dechlorination, shall not be considered violations of this requirement provided the total duration of such excursions do not exceed 15 minutes

³Peaks in excess of 0.3 mg/L lasting less than one minute while changing sulfur dioxide tanks shall not be considered a violation of this requirement.